

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 23, 1998**

**DIVISION ONE**

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel(Miriam A.), J., Masterson, J., Dunn, J.  
(Assigned), and Connie Hon, Deputy Clerk.

Each of the following:

B116026 Morgan v Dreyer  
B119392 Shorts v Trope

Argument waived, cause submitted.

B114274     Mark K.  
                 v.  
                 Roman Catholic Archbishop of Los Angeles

Merits:  
Argued by Mark E. Roseman for appellant and by John P. McNicholas for  
respondent. Cause submitted.

B112662     People  
                 v.  
                 McLaurin

Merits:  
Argued by Philip M. Brooks for appellant and by Lori R. Mars, deputy  
attorney general for respondent. Cause submitted.

DIVISION ONE (Continued)

B112111 ECC Construction, Inc.  
B114316 v.  
Oak Park Calabasas Homeowners Association et al.

Merits:  
Argued by John D. Lang for appellant and by Jerome D. Meier for respondents. Cause submitted.

B115783 Sanchez et al.  
v.  
Lee

Merits:  
Argued by Elizabeth Skorcz Anthony for respondent and there being no appearance for appellants. Cause submitted.

B118380 Johnson  
v.  
California United Terminals

Merits:  
Argued by Jody Landry for respondent and there being no appearance for appellant. Cause submitted.

B114120 Goldstein  
v.  
City of Los Angeles

Merits:  
Argued by Lisa S. Berger for appellant and by Ann M. Oakleaf for respondent. Cause submitted.

DIVISION ONE (Continued)

B110731     Stellway, etc., et al.  
              v.  
              Stellway

Merits:

Argued by Sandra L. Stellway, appellant In Propria Persona and by Dennis E. Golob for respondents. Cause submitted.

B107030     Reinschreiber  
              v.  
              Smith et al.

Merits:

Argued by James A. Hamilton for appellant and by John A. Taylor, Jr. for respondents. Cause submitted.

Dunn, J. (assigned) leaves the bench.

B109184     Tapar et al.  
              v.  
              City of Los Angeles, et al.

Merits:

Argued by Raymond Tapar, appellant In Propria Persona and by Lisa S. Berger for respondents. Cause submitted.

Dunn, J (assigned) resumes the bench.

B109556     Romney  
              v.  
              Meehan

Merits:

Argued by Patricia L. Reber for appellant and by Scott A. Meehan, respondent in propria persona. Cause submitted.

DIVISION ONE (Continued)

B118969 Nilchian  
v.  
Prudential Insurance Company

Merits:  
Argued by Michael L. Gordberg for appellant and by Patrick E. Naughton  
for respondent. Cause submitted.

Spencer P.J. leaves the bench.

B116227 Foodmaker, Inc. et al.  
v.  
Workers' Compensation Appeals Board  
(Ortega-Ruiz, r.p.i.)

Merits:  
Argued by William M. Carero for petitioners and by Bitu Adham for  
respondent. Cause submitted.

Spencer, P.J. resumes the bench.

B107278 In re Marriage of Barbara E. Zipkin & Ehud N. Rahmann  
Zipkin  
v.  
Rachmann

Merits:  
Argued by R. Michael Collum for appellant and by Glen H. Schwartz for  
respondent. Cause submitted.

Dunn, J. (assigned) leaves the bench.

September 23, 1998-Continued

## DIVISION ONE (Continued)

B100352 Hennefer et al.  
v.  
Schulze

Merits:

Argued by Julie L. Woods for appellant and by Andrew M. White for respondents. Cause submitted.

Ortega, J. leaves the bench.

B119206      Broad  
v.  
Toyota Motor Sales, U.S.A., Inc.

Merits:

Argued by Charles J. Fleishman for appellant and by Jeannette E. Valdivia for respondent. Cause submitted.

Court adjourned.

DIVISION TWO

B120489      Maricela C.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(L.A. County Department of Children & Family Services, r.p.i.)

The petition is denied.

Nott, J.

We concur:   Boren, P.J.  
                      Zebrowski, J.

September 23, 1998-Continued

## DIVISION THREE

B114504 People (Not for Publication)  
v.  
Cortez

The judgment is affirmed.

Croskey, Acting P.J.

We concur:   Kitching, J.  
                      Goodman, J. (Assigned)

B114472 People (Not for Publication)  
v.  
Casper

The judgment is affirmed. The trial court is directed to correct its March 7, 1997 minute order to reflect that respondent admitted as to counts one and two that he suffered one qualifying prior conviction pursuant to Vehicle Code section 23185.

Croskey, Acting P.J.

We concur: Aldrich, J.  
Goodman, J. (Assigned)

## DIVISION FOUR

[illegible]

The judgment is affirmed. Respondent is awarded his costs on appeal.

Cooper (F.M.), J. (Assigned)

We concur: Epstein, Acting P.J.  
Hastings, J.

DIVISION FOUR (Continued)

B122497      Edward Fineman Company      (Certified for Publication)

v.

The Superior Court of Los Angeles County  
Bank of America NT & SA

The order to show cause is discharged. The petition is denied. The parties to bear their own costs.

Vogel (C.S.), P.J.

We concur: Epstein, J.

Cooper (F.M.), J. (Assigned)

DIVISION FIVE

B112280      Mark Shoemaker      (Not for Publication)

v.

Kymerly Shoemaker

The appeal is dismissed. Each party is to bear its own costs incurred on appeal.

Turner, P.J.

We concur: Grignon, J.

Armstrong, J.

September 23, 1998-Continued

DIVISION SIX

B118582      Keulen      (Certified for Publication)

v.  
Workers Compensation Appeals Board  
Atascadero State Hospital et al.

The order denying reconsideration is annulled, and the matter is remanded to the board with directions to commence further proceedings forthwith consistent with this opinion. Petitioner shall recover his costs.

Gilbert, J.

We concur: Stone, P.J.  
Coffee, J.

B122357 San Luis Obispo County Dept. of Social Services

V.  
Celeste M.

Filed order dismissing the appeal as abandoned.

B121602 People (Not for Publication)

v.  
Raul V.

The order of wardship is affirmed.

Stone, P.J.

We concur:    Gilbert, J.  
                         Coffee, J.



September 23, 1998-Continued

## DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Coffee, J.

We concur:   Stone, P.J.  
                      Gilbert, J.

[illegible]

The judgment (order of commitment) is affirmed.

Gilbert, J.

We concur:   Stone, P.J.  
                      Coffee, J.

B122671 People (Not for Publication)  
v.  
Jennifer V.

Having failed to raise any cognizable issues, the order appealed from is affirmed.

Stone, P.J.

We concur: Gilbert, J.  
Yegan, J.

DIVISION SIX (Continued)

B117626      Manfredi & Levine      (Certified for Publication)

v.  
Superior Court, Ventura County  
(Barles et al., r.p.i.)

The order to show cause, having served its purpose, is discharged. The stay of proceedings is dissolved. We deny the petition. The parties shall bear their own costs.

Gilbert, J.

We concur:    Stone, P.J.  
                      Yegan, J.

B118919      People      (Certified for Publication)

v.  
Herrera

The judgment (order denying section 6608 request for conditional release) is affirmed.

Yegan, J.

We concur:    Stone, P.J.  
                      Gilbert, J.

B119193      Langley      (Not for Publication)

v.  
Jencks, Bonitz & Vella

The judgment is affirmed with costs to respondents.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                      Coffee, J.

DIVISION SEVEN

B098433 Kazenelson  
v.  
City of Hermosa Beach

Filed order denying petition for rehearing. Johnson, J. would grant rehearing.

B099426 Mansfield (Not for Publication)  
v.  
Mansfield

The order affirmed. Sanctions of \$3,500 are ordered paid jointly and severably by appellant and his counsel. Respondent to recover costs on appeal.

Woods, J.

We concur: Lillie, P.J.  
Neal, J.

B116468 Assoc. For Los Angeles Deputy Sheriffs (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(County of Los Angeles et al., r.p.i.)

The petition is denied. Costs are awarded to real parties in interest.

Woods, J.

We concur: Johnson, Acting P.J.  
Neal, J.

B098433 Kazenelson  
v.  
City of Hermosa Beach

Filed order modifying opinion. (No change in the judgment)